



Adopted: January 4, 2001

**BOARD OF EQUALIZATION**  
**LEGISLATIVE COMMITTEE MEETING AGENDA**  
**HONORABLE JOHAN KLEHS, CHAIR**  
**450 N STREET, SACRAMENTO, ROOM 122**  
**JANUARY 3, 2001 9:30 AM**

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**----- Minutes -----**

## **2001 Legislative Proposals**

### **PROPERTY TAXES**

#### **2001 Legislative Proposals**

Suggestions for Property Tax legislation to be sponsored by the Board in the first year of the 2001-02 Legislative Session.

**Suggestion**  
**Number**

**1-2R**      **Amend Section 1603 of the Revenue and Taxation Code to extend the final date for filing an assessment appeal from September 15th to November 30th in those counties where the county assessor does not notify the taxpayer of the assessed value of their real property.**

Source: Honorable John Chiang

Revenue Impact: None

**Recommendation: Adopt**

- 1-9      Amend Section 15626 of the Government Code to include the annual value setting for state assessees and political action committees contributions under the Kopp Act.**

Source: Honorable Dean Andal

Revenue Impact: None

**Recommendation: Put over**

**BOARD ACTION: Put over to February**

- 1-10      Add Section 84308.5 to the Government Code to prohibit county assessors from accepting more than \$250 from any real property owner in the county and prohibit assessment appeals board members, including county supervisors who act in the capacity of assessment appeals board members, from accepting more than \$250 from any real property owner with an appeal before the Board.**

Source: Honorable Dean Andal

Revenue Impact: None

**Recommendation: Put over pending receipt of list of county contribution limits**

**BOARD ACTION: Drop**

- 1-11      Amend Sections 401.15, 469, 1605, 4986, and 5906 of, and add Section 471 to, the Revenue and Taxation Code to extend specified appeal rights currently provided to taxpayers that undergo mandatory audits to taxpayers that undergo nonmandatory audits.**

Source: Property Tax Committee

Revenue Impact: None

**Recommendation: Adopt**

- 1-12      Amend Revenue and Taxation Code Section 205.5 relating to the disabled veterans' exemption low income threshold to change the measurement period for inflation increases and provide annual compounding.**

Source: Taxpayers' Rights Advocate's Office  
Property Taxes Department

Revenue Impact: None

**Recommendation: Adopt**

- 1-13      Amend Section 1606 of the Revenue and Taxation Code to enable both parties in an equalization or assessment appeal hearing to have adequate time to review the other's information in the context of an exchange of information.**

Source: Taxpayers' Bill of Rights Annual Hearing

Revenue Impact: None

**Recommendation: Adopt**

## **BUSINESS TAXES GENERAL**

### **2001 Legislative Proposals**

Suggestions for Sales and Use Tax legislation to be sponsored by the Board in the first year of the 2001-2002 Legislative Session.

#### **Suggestion**

##### **Number**

**2-3      Amend Sections 5000, 5070, 5070.5, 5081, 5081.1, 5082, 5082.1, 5082.2, 5083, 5084, 5087, and 5134 of, add Sections 5075, 5076, 5080.2, 5081.2, 5081.3, 5083.1 to, and repeal Section 5023 of, the Business and Professions Code to ease the CPA certification requirements for auditors employed by governmental agencies.**

Source: Honorable John Chiang

Revenue Impact: None

**Recommendation: Adopt**

**2-4      Amend Section 7096 of the Revenue and Taxation Code to allow reimbursement of any reasonable third party check charges imposed on a taxpayer due to an erroneous levy.**

Source: Taxpayers' Rights Advocate's Office

Revenue Impact: Less than \$1,000 annually

**Recommendation: Adopt**

## **BUSINESS TAXES SALES AND USE TAX**

### **Suggestion Number**

- 3-4**      **Amend Section 6369 of the Revenue and Taxation Code to include within the medicine exemption, sales of medicines to surgical clinics for the treatment of any person pursuant to the order of a licensed physician and surgeon, dentist, and podiatrist.**

Source: Sales and Use Tax Department

Revenue Impact: Minor, conforms law to existing practice

**Recommendation: Adopt**

- 3-5**      **Amend Section 7205.1 of the Revenue and Taxation Code to clarify that the definition of motor vehicles is limited to passenger vehicles and light-duty pickup trucks.**

Source: Sales and Use Tax Department

Revenue Impact: None

**Recommendation: Put over**

**BOARD ACTION: Put over to February**

- 3-6      Amend Sections 7285 and 7285.5 of the Revenue and Taxation Code, related to transactions and use taxes, to (1) clarify that an ordinance, not a resolution, is necessary for the adoption of the tax; (2) clarify that Section 7285 authorizes counties to levy a transactions and use tax for general purposes; (3) delete the necessity of forming an authority to levy a district tax for special purposes; (4) require two-thirds voter approval of a special-purpose tax; and (5) clarify that transactions and use taxes can be levied in multiples of 0.25%.**

Source: Legal Division

Revenue Impact: None

**Recommendation: Adopt**

## **BUSINESS TAXES SPECIAL TAX**

### **Suggestion Number**

- 4-11**      **Amend Sections 7655, 7657, 7658 and 7659.2 of, and add Article 2.5 (commencing with Section 7659.9) to, the Revenue and Taxation Code to incorporate provisions from last year's Board-sponsored bills AB 2894 and AB 2898 due to be chaptered out by AB 2114 on January 1, 2002.**

Source: Legislative Division

Revenue Impact: Loss if current EFT provisions are chaptered out.

**Recommendation: Adopt**

- 4-12**      **Amend Section 8878 of the Revenue and Taxation Code to conform relief of interest provisions in the Use Fuel Tax Law with the other tax and fee laws administered by the Board.**

Source: Legislative Division

Revenue Impact: None

**Recommendation: Adopt**

- 4-13**      **Amend Sections 32255, 32256.5, 43158.5, 45156.5, 46157.5, 50112.4 and 55046 of the Revenue and Taxation Code to delete obsolete section references.**

Source: Legislative Division

Revenue Impact: None

**Recommendation: Adopt**

**4-14 Amend Section 42886.1 of the Public Resources Code to clarify that references to “board” means “State Board of Equalization”.**

Source: Legislative Division

Revenue Impact: None

**Recommendation: Adopt**

**4-15 Amend Section 43152.9 of the Revenue and Taxation Code to correct a referencing error.**

Source: Legislative Division

Revenue Impact: None

**Recommendation: Adopt**

Approved: /s/ Johan Klehs  
Johan Klehs, Committee Chair

/s/ James E. Speed  
James E. Speed, Executive Director

BOARD APPROVED\*

at the 1/4/01 Board Meeting

/s/ Judy Newton  
Judy Newton, Chief  
Board Proceedings Division

\*Including Mr. Andal's exception memo



**State of California      Board of Equalization**

**M e m o r a n d u m**

**To:**            Honorable Johan Klehs, Chair  
                    Board Committee on Legislation

**Date:**          January 4, 2001  
                    \*\*\*REVISED

**From:**        Dean F. Andal  
                    Member, Second District

**Subject:**      Legislative Proposals

**Please note that my position on the following legislative proposals differs from the recommendations made by the Board Committee on Legislation on January 3, 2001:**

<u><b>Suggestion Number</b></u>	<u><b>Andal Position</b></u>	<u><b>Committee Recommendation</b></u>
<b>Property Taxes</b>		
1-10	Support	Drop
<b>Business Taxes -- General</b>		
2-3	Oppose Unless Amended	Adopt
<b>Business Taxes -- Sales &amp; Use</b>		
3-6	Neutral	Adopt

DFA:hah

cc:      Honorable John Chiang  
            Honorable Claude Parrish  
            Honorable Kathleen Connell  
            Ms. Margaret S. Shedd  
            Ms. Judy Newton